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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNA HINES, No. C-07-4145 CW (EMC)
Plaintiff,

15 Defendant the CPUC has filed a motion to compel, *see* Docket No. 262 (motion), which it
16 seeks to have heard on shortened time. The CPUC argues that shortened time is necessary because
17 it needs discovery responses from Plaintiff Donna Hines in advance of the deadline by which the
18 parties must complete briefing on the motion for summary judgment (which it intends to file on or
19 before March 11, 2010, in accordance with Judge Wilken's case management schedule in this case).

20 The Court concludes that the CPUC has provided a sufficient justification for shortened time.
21 Because the reply brief in support of the motion for summary judgment will be due on or before
22 April 1, 2010, proceeding on the regular thirty-five day notice period is not possible. Moreover, Ms.
23 Hines has not provided in her opposition any substantive reason why shortened time is not
24 appropriate. The Court further notes that a shortened briefing and hearing schedule will not unduly
25 prejudice Ms. Hines. Under this order, Ms. Hines shall have more than a week to oppose the motion
26 to compel.¹

¹ The CPUC served the motion to compel by mail on February 25, 2010. Under Federal Rule of Civil Procedure 6(e), Ms. Hines is presumed to have received the motion by March 2, 2010.

United States District Court
For the Northern District of California

1 Accordingly, the Court hereby orders as follows.

2 (1) A hearing on the CPUC's motion to compel shall be heard on March 17, 2010.

3 (2) The opposition to the motion to compel shall be filed *and* served by March 12, 2010.

4 No reply shall be filed.

5 It is the Court's understanding that the parties in this case have not made any agreement that
6 service in this case may be effected by e-mail or other electronic means. Because of the abbreviated
7 schedule ordered herein, the Court orders that, **for purposes of briefing for this motion alone**,
8 service shall be effected by (1) mailing a copy of the brief on the due date *and* (2) concurrently e-
9 mailing or faxing a copy of the brief to the opposing party. **It is the Court's understanding that**
10 **Ms. Hines does have an active e-mail account. If this is not true or no longer the case, then**
11 **upon receipt of this order Ms. Hines shall immediately contact Betty Lee, the Courtroom**
12 **Deputy, at (415) 522-2034.**

13 This order disposes of Docket No. 267.

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15 IT IS SO ORDERED.

17 Dated: March 5, 2010

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20 EDWARD M. CHEN
21 United States Magistrate Judge

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United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNA HINES,
Plaintiff,

No. C-07-4145 CW (EMC)

v.

CALIFORNIA PUBLIC UTILITIES
COMMISSION, *et al.*,
Defendants.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

Donna Hines
268 Bush Street, #3204
San Francisco, CA 94104
415-205-3377

Dated: March 5, 2010

RICHARD W. WIEKING, CLERK

By: _____ /s/
Leni Doyle
Deputy Clerk